

108TH CONGRESS
1ST SESSION

H. R. 802

To amend the Elementary and Secondary Education Act of 1965 to require medically accurate factual information in any course material or instruction on human development and sexuality.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2003

Mr. GUTIERREZ (for himself, Mrs. CAPPS, Mr. EVANS, Mr. WAXMAN, Mr. PAYNE, and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Elementary and Secondary Education Act of 1965 to require medically accurate factual information in any course material or instruction on human development and sexuality.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medically Accurate Sex
5 Education Act”.

6 **SEC. 2. MEDICALLY ACCURATE SEX EDUCATION.**

7 (a) IN GENERAL.—The Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 6301 et seq.) is amend-

1 ed by inserting after section 9528 (20 U.S.C. 7908) the
 2 following:

3 **“SEC. 9528A. MEDICALLY ACCURATE SEX EDUCATION.**

4 “(a) REQUIREMENT.—An elementary school or sec-
 5 ondary school receiving funds under this Act shall not pro-
 6 vide factual information that is not medically accurate in
 7 course material or instruction on human development and
 8 sexuality, including any sex education, family life edu-
 9 cation, abstinence education, comprehensive health edu-
 10 cation, or character education.

11 “(b) DEFINITIONS.—In this section:

12 “(1) The term ‘factual information’ includes in-
 13 formation related to medical, psychiatric, psycholo-
 14 gical, empirical, or statistical statements.

15 “(2) The term ‘medically accurate’ means sup-
 16 ported by research, recognized as accurate and ob-
 17 jective by leading medical, psychological, psychiatric,
 18 and public health organizations and agencies, and,
 19 where relevant, published in peer-reviewed jour-
 20 nals.”.

21 (b) CONFORMING AMENDMENT.—The table of con-
 22 tents at section 2 of the Elementary and Secondary Edu-
 23 cation Act of 1965 is amended by inserting after the item
 24 relating to section 9528 the following:

“Sec. 9528A. Medically accurate sex education”.